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10034354.022603

PATENT

Docket No.: P1-008DVA

MP
#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1775

Examiner: Not yet assigned

Serial No.: 10/034,354

Filed: December 27, 2001

In re Application of: John M. Pinneo

For: DIAMOND COATED ARTICLE BONDED TO A BODY

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Director of Patents, Box Missing Parts, Washington, D.C. 20231 on 2/21/03, Signed Stephanie Davis
Stephanie Davis

RESPONSE TO NOTICE TO FILE MISSING PARTS

Director of Patents
Box Missing Parts
Washington, D.C. 20231

Dear Sir:

On March 19, 2002, the United States Patent and Trademark Office (USPTO) mailed a Notice to File Missing Parts of Nonprovisional Application. On April 12, 2002, Applicant submitted a Response to the Notice to File Missing Parts consisting of a copy of the Declaration and Power of Attorney from the Parent Application, ten (10) sheets of Drawings with the appropriate margins, a copy of the Recorded Assignment from the Parent Application, a check in the amount of \$477.00 for the Filing Fee and Surcharge for a Small Entity, and a copy of the Notice to File Missing Parts.

On December 27, 2002, the USPTO mailed another Notice to File Missing Parts of Nonprovisional Application. In the Notice to File Missing Parts, it states that an Oath or Declaration is missing, and Figures 9D and 10D were omitted from the application.

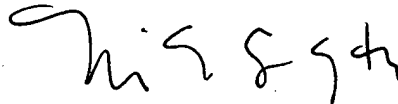
In response to the Notice to File Missing Parts of Nonprovisional Application dated December 27, 2002, enclosed please find a copy of the Response to Notice to File Missing Parts and the Declaration filed on April 12, 2002, including the Return Postcard stamped as received by the USPTO on April 22, 2002.

Please also find enclosed a Preliminary Amendment canceling all references to the omitted drawings, as stated in the Notice to File Missing Parts under Option III.

In the event any fee is required for the filing of the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, the Assistant Commissioner is hereby authorized to charge or credit the difference to our Deposit Account No. 50-0612. An additional copy of this page is enclosed.

Respectfully submitted,
Sierra Patent Group, Ltd.

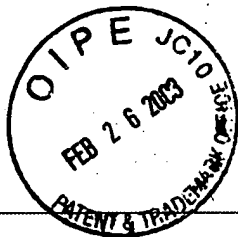
Dated: February 21, 2003



Nicole E. Coppes-Gathy
Reg. No. 46,640

Sierra Patent Group, Ltd.
P.O. Box 6149
Stateline, NV 89449
(775) 586-9500

-Attachments

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/034,354	12/27/2001	John M. Pinneo	P1-008DVA

Kenneth D'Alessandro
Sierra Patent Group, Ltd.
P.O. Box 6149
Stateline, NV 89449

CONFIRMATION NO. 7960

FORMALITIES LETTER



OC000000009299546

Date Mailed: 12/27/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **9D and 10D** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.


II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

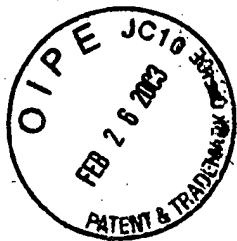
In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



10034354.022603

Please acknowledge receipt of the following by affixing hereon the Patent Office date stamp and returning this card to our office.

Inventor(s): John M. Pinneo
Serial No.: 10/034,354
Filing Date: December 27, 2001
Attorney: Kenneth D'Alessandro
Docket No.: P1-008DVA
Title: DIAMOND COATED ARTICLE BONDED TO A BODY

Papers Filed: Transmittal Letter, Declaration and Power of Attorney from Parent Application, 10 Sheets of Drawings with appropriate margins, Recorded Assignment from Parent Application, a check in the amount of \$477.00, and a copy of the Notice to File Missing Parts.

4/10/02
sdd

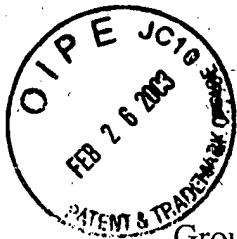
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Stephanie Davis

RESPONSE TO NOTICE TO FILE MISSING PARTS

Director of Patents
Box Missing Parts
Washington, D.C. 20231

Dear Sirs:

Responsive to the Notice to File Missing Parts dated March 19, 2002,
please find enclosed herewith:

1. A copy of the Declaration and Power of Attorney from the parent application, executed by the inventor;

2. Ten (10) Sheets of Drawings with the appropriate margins;

3. A copy of the Recorded Assignment from the parent application;


4. Check in the amount of \$477.00 for a small entity calculated as follows:

Filing Fee	\$370.00
1 Additional Independent Claim	\$42.00
<u>Surcharge</u>	<u>\$65.00</u>
Total	\$477.00

5. Copy of Notice to File Missing Parts.

In the event any variance exists between the amount enclosed and the patent office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, the Assistant Commissioner is hereby authorized to charge or credit the difference to our Deposit Account No. 50-0612. An additional copy of this page is enclosed.

Respectfully submitted,
Sierra Patent Group, Ltd.



Kenneth D'Alessandro
Reg. No. 29,144

Dated: April 10, 2002

Sierra Patent Group, Ltd.
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